

JONATHAN E. FORTMAN (pro hac vice)
jef@fortmanlaw.com
LAW OFFICE OF JONATHAN E. FORTMAN, LLC
250 St. Catherine Street
Florissant, Missouri 63031
Telephone: 314.522.2312
Facsimile: 314.524.1519

STEVE A. MILLER (SBN: 171815)
sampc01@gmail.com
STEVE A. MILLER, PC
1625 Larimer Street, No. 2905
Denver, Colorado 80202
Telephone: 303.892.9933
Facsimile: 303.892.8925

ROBERT W. THOMPSON (SBN: 250038)
bobby@tlopc.com
THOMPSON LAW OFFICES, P.C.
700 Airport Blvd., Suite 160
Burlingame, CA 94010
Telephone: 650.513.6111
Facsimile: 650.513.6071

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GABRIELLE FIGUEROA, et al.,)	Case No.: 4:17-cv-05909-JSW
)	
Plaintiffs,)	JOINT STATUS REPORT
)	
vs.)	
)	
EVERALBUM, INC,)	
)	
Defendant)	

COME NOW the parties and pursuant to the Clerk's Notice Scheduling Status Conference [Doc. # 8] submit this Joint Status Report:

1. Plaintiffs filed this putative class action on October 16, 2017 against Defendant alleging violations of the Telephone Consumer Protection Act ("TCPA").
2. Upon motion of Defendant, the Court entered summary judgment in favor of Defendant and further awarded sanctions against Plaintiffs. [Doc. # 38].
3. Plaintiffs timely filed their Notice of Appeal in which they limited their appeal to the issue of sanctions only. There was no appeal of the summary judgment granted by this Court concerning the substantive TCPA claims. [Doc. # 48].
4. On June 15, 2020 the United States Court of Appeals for the Ninth Circuit issued its Memorandum Decision in which it reversed the award of sanctions. [Doc. # 50].
5. On July 7, 2020 the Ninth Circuit issued its Mandate. [Doc. # 51].
6. On July 8, 2020 the Clerk issued the Notice of Scheduling Status Conference which required the parties to file a Joint Status Report and further set this matter for a telephonic Status Conference with the Court on September 4, 2020.
7. There remains no further justiciable controversy in this matter and the parties hereby request that this matter be closed and the Status Conference be cancelled.

Dated this 29th day of August, 2020

Respectfully submitted

LAW OFFICE OF JONATHAN E.
FORTMAN, LLC

/s/ Jonathan E. Fortman
JONATHAN E. FORTMAN,

Attorney for Plaintiffs

DECHERT, LLP

/s/ Christina G. Sarchio
CHRISTINA G. SARCHIO
Attorney for Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing has been served upon all parties by operation of the court's Electronic Case Filing system.

/s/ Jonathan E. Fortman

Dated: July 30, 2020

